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June 29, 2007

VIA HAND DELIVERY

Public Service Commission of South Carolina
Attn: Docketing Department
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

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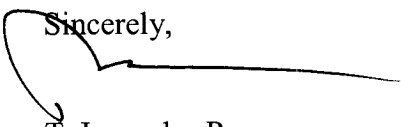
**Re: Application of Wyboo Plantation Utilities, Inc., for Expansion of Service
Territory
Docket # 2007-135-W/S**

Dear Sir or Madam:

Please find enclosed the original and ten (10) copies of the Motion To Request Cancellation of Hearing and Proposed Order Approving Wyboo Plantation Utilities, Inc., with regard to the above-referenced matter.

Thank you for your assistance in this matter.

Sincerely,


T. Lowndes Pope

TLP/sbd
Enclosures

cc: C. Dukes Scott, Executive Director
 Florence B. Belser
 Wendy Cartledge

Docket No.: 2007-135-WS

IN THE MATTER OF:)
)
Wyboo Plantation Utilities, Inc.'s)
Application for Extension of Service Area)
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HEARING

It is Applicant's understanding that ORS does not object to the cancellation of the Hearing and will provide the Commission with such position in a separate filing.

1. On April 19, 2007, Wyboo filed its Amended Application requesting the Commission approve its service area as depicted by a map attached as Exhibit 3 to the Application.

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3. No person petitioned the Commission to intervene or indicated it wanted to testify at the Hearing.

4. On May 30, 2007, ORS wrote a letter to the Commission stating ORS had concerns relating to a performance bond.

5. On June 18, 2007, the Commission issued a Notice of Hearing and a Prefile Testimony letter. The Hearing is scheduled for August 8, 2007, with Wyboo's direct testimony and exhibits due on July 5, 2007.

6. Wyboo's current service area includes areas in and around the Wyboo Plantation subdivision in Clarendon County.

7. Wyboo seeks Commission approval to provide water and sewer service to customers in areas in and around the Wyboo Plantation subdivision. Of the approximate seven areas Wyboo seeks the Commission to include in its service area, Wyboo presently serves customers in five of these areas. The remaining two areas are contiguous tracts to areas Wyboo already has approval to service.

8. Wyboo seeks Commission approval of its Application, pursuant to the Commission's Regulations, which state the following, "Provided, however that this regulation shall not be construed to require any existing utility to secure a certificate for an extension within or to territory already served by it, in the necessary course of business." S.C. Code Ann. Regs. 103-504 (2007) Amended by State Register Volume 31, Issue No. 5, eff. May 25, 2007). Clearly, Wyboo is providing sewer service "within or to territory already served by it"; therefore, the Commission does not need a hearing concerning Wyboo's request since this regulation allows for extended service in territory already served by it.

9. Wyboo seeks Commission approval of its Application, pursuant to the Commission's regulations, which state the following, "...provided, however, that this regulation shall not be construed to require any existing water utility to secure a certificate for an extension within or to territory already served by it, in the necessary course of business." S.C. Code Ann. Regs. 103-704 (2007) Amended by State Register Volume 31, Issue No. 5, eff. May 25, 2007). Clearly, Wyboo is providing water service "within or to territory already served by it"; therefore, the Commission does not need a hearing concerning Wyboo's request since this regulation allows for extended service in territory already served by it.

10. In Docket No. 2005-13-WS, Wyboo requested a rate increase. The Commission rejected Wyboo's request and issued Order No. 2007-138.

11. ORS filed a Motion to Reconsider Order No. 2007-138 on a number of grounds. ORS requested the Commission require Wyboo to continue service to existing customers in Mill Creek at the Commission's approved rates. In response to the ORS Motion, the Commission issued a Directive, dated April 11, 2007, whereby the Commission directed "Wyboo to file an application for authority to serve Mill Creek within six months from receipt of the Commission's Order." No Order has been issued as of this date. However, Wyboo has complied with the Commission's Directive by filing the Application in this Docket. For judicial economy, Wyboo also requested the Commission approve its service area for additional areas in which Wyboo currently provides service or is in close proximity.

12. In ORS' Motion to Reconsider, ORS also requested the Commission require Wyboo to file a performance bond. In response to the ORS Motion, the Commission issued a Directive, dated April 11, 2007, whereby the Commission denied ORS' request. However, the Directive did direct Wyboo to submit a personal financial statement of Mark Wrigley.

13. Applicant submits its Application pursuant to 26 S.C. Code Ann. Regs. 103-704 and 103-743 (Supp. 2003). 26 S.C. Code Ann. Regs. 103-704 provides that “no existing public utility supplying water to the public...shall hereafter sell, acquire, transfer, begin the construction or operation of any utility system, or any extension thereof,...without first obtaining from the Commission a certificate that the sale, transfer, or acquisition is in the public interest, or that the public convenience and necessity require or will require construction or operation of any utility system, or extension.”

14. Existing customers of Wyboo will not be adversely affected by the approval of Wyboo’s request.

15. Wyboo submits this Application in response to the Commission’s Directive, dated April 11, 2007.

16. Since the Commission has waived hearings on other such administrative requests, Wyboo respectfully requests that the Commission cancel its Notice of Hearing and grant the relief requested in Wyboo’s Application.

17. WHEREFORE, Wyboo Plantation Utilities, Inc., respectfully Moves for a Postponement of the Hearing and Order of this Commission granting its Application to expand its service territory as set out herein.

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June 28, 2007